

Notice of Allowability

Application No.

09/977,171

Examiner

Isaac M. Woo

Applicant(s)

WEN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 11/08/2005.
2. ☒ The allowed claim(s) is/are 2-6, 8, 10, 12-16, 18, 20, 22-26, 28 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 11/8/05
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☒ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


JEAN M. CORNELIUS
PRIMARY EXAMINER

DETAILED ACTION

1. This office action is in response to the amendment filed on November 08, 2005. Claims 2-6, 8, 10, 12-16, 18, 20, 22-26, 28 and 30 are amended. Claims 1, 7, 9, 11, 17, 19, 21, 27 and 29 are canceled. Claims 2-6, 8, 10, 12-16, 18, 20, 22-26, 28 and 30 are presented for examination.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Hart (Registration No. 44,421) on January 03, 2006.

The application has been amended as follows:

In claim 10, line 19, delete [that].

In claim 25, line 9, delete [that the queries are similar independent of], and insert - - "similar queries independent of" - -.

Allowable Subject Matter

3. Claims 2-6, 8, 10, 12-16, 18, 20, 22-26, 28 and 30 are allowed.

Reason For Indicating Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter: Claims 5, 8, 10, 15, 18, 20, 25, 28 and 30 identifies distinct feature, the computer method, computer readable medium and computer device for clustering queries, identifying a same document and/or a plurality similar document selected by a user in response to a plurality of queries the similar document being determined by evaluating a set of selected similar documents chosen response to queries with equations. The closest prior art Voorhees et al (U.S. Patent No. 5,864,845) discloses for clustering queries (col. 2, lines 40-49) for identifying a same document and/or a plurality of similar documents selected by a user in response to a plurality of queries, and responsive to identifying the same document and/or the similar documents, generating a query cluster to indicate that the queries are similar, and queries comprises similar composition with respect to other ones of the queries, Voorhees does not address the method for identifying the similar document based on by evaluating a set of selected similar document chosen responsive to queries p and q of the queries, wherein

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documents $D-C(.)$ is subset of a result list $D(.)$ according to the $D_C(P) = \{dp1, dp2, \dots, dpl\} \subset D(p)$, $D_C(q) = \{dq1, dq2, \dots, dql\} \subset D(q)$ wherein similarity based on selection of documents is based on if $D_C(p) \cap D_C(q) = \{dpq1, dpq2, \dots, dpqk\} \neq \emptyset$, then documents $dpq1, dpq2, \dots, dpqk$ represent a set of common topics of queries p and q , and, whereby the similar document between queries p and q is determined by $D_C(p) \cap D_C(q)$. Thus, Voorhees fails to suggest the claimed limitation as mentioned above in combination with other limitations of the dependent claims. The invention is allowable over the prior art for being directed to a combination of claimed element as indicated above.

The claims 2-6, 8, 10, 12-16, 18, 20, 22-26, 28 and 30 are hereby allowed.

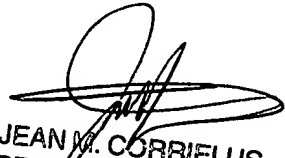
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
January 3, 2006


JEAN M. CORRIELUS
PRIMARY EXAMINER